



STATE OF INDIANA

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For Immediate Release

Fraternal, Social Clubs Exempt from Indiana's New Smoke-Free Air Law

INDIANAPOLIS (June 28) – Fraternal and social clubs meeting certain requirements may be exempt from Indiana's new Smoke-Free Air Law, which takes effect July 1, 2012.

In addition to fraternal and social clubs, the law also exempts certain freestanding bars and taverns, horse-racing facilities, riverboats, casinos, off-track betting facilities, cigar and hookah bars (use of cigarettes is prohibited), one designated smoking room in a private or fraternal club, retail tobacco stores, cigar manufacturing facilities, cigar specialty stores, and certain businesses located in private residences where all the employees also reside.

In order to qualify for the exemption, fraternal or social club must meet all of the following requirements:

- Must be exempt from federal income taxation under 26 U.S.C. 501(c).
- Must meet the requirements to be considered a club under IC 7.1-3-20-1; or be a fraternal club (as defined in IC 7.1-3-20-7).
- Must provide food or alcoholic beverages only to its bona fide members and their guests.
- Must, during a meeting of the club's members, vote within the previous two years to allow smoking on the premises.
- Must provide a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises
- Must only allow smoking in the designated smoking room.
- Must not allow an individual who is less than 18 years of age to enter into the designated smoking room.

Any business meeting one of the law's exemptions that wants to allow smoking, must complete a form found on the ATC's website, www.in.gov/atc. Excise officers are available to meet with club officials to discuss how the new law affects fraternal and social clubs.

In addition to the new state law, 42 Indiana cities, towns and counties have smoking ordinances. Any provision of a local ordinance that is more restrictive of smoking than the state law continues in effect. Some local ordinances prohibit smoking in any part of a fraternal or social club.

Additional information about Indiana's Smoke-Free Air Law, including Frequently Asked Questions documents, information on signage requirements (along with free signs), the exception form and other information can be found on the ATC's website, www.in.gov/atc.